

PETITION FOR ZONING VARIANCE 84-225-A
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 402.1 to permit a lot width of 61 ft. in lieu of the required 80 ft., a minimum side yard setback of 3.5 ft. in lieu of the required 15 ft. and a sum of side yard setbacks of 15.5 ft. in lieu of the required 35 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reason: (Indicate hardship or practical difficulty)

SEE ATTACHED MEMORANDUM, MADE A PART HEREOF

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of petition, and further agree to and are to be bound by the zoning regulations and restrictions Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____ Legal Owner(s): _____
(Type or Print Name) **DOLLIE JO GLEATON**
Signature _____
Address _____
City and State _____

Attorney for Petitioner: _____
THOMAS B. MCCARTY, ATTY. 5907 Edmondson Ave. 747-6567
Signature _____ Address _____ Phone No. _____
1606 Frederick Road Catonsville, Maryland 21228
City and State _____
Attorney's Telephone No.: 788-3800 Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Thomas B. McCarty, Atty.
Address 1606 Frederick Road, Catonsville, Md. 21228
City and State _____ Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1984, at 10:15 o'clock _____ A.M.
RESCHEDULED:
Thursday, May 31, 1984
at 1:30 P.M.
Zoning Commissioner of Baltimore County.

(over)

Thomas B. McCarty, Esquire
1606 Frederick Road
Baltimore, Md. 21228
Boender Associates
3565-A Court Square
Ellicott City, Md. 21043

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this _____ day of _____, 1984.

Petitioner: **Dollie Jo Gleaton**
Received by: **Nicholas B. Commodari**
Chairman, Zoning Plans
Attorney: **T. B. McCarty, Esquire**
Advisory Committee

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: **Arnold Jablon**
Zoning Commissioner
FROM: **Norman E. Gerber, Director**
Office of Planning and Zoning
SUBJECT: **Dollie Jo Gleaton - 84-225-A**
Date: **February 16, 1984**

There are no comprehensive planning factors requiring comment on this petition.

NEG/JGH/sf

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 23, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Thomas B. McCarty, Esquire
1606 Frederick Road
Baltimore, Maryland 21228

RE: Item No. 165 - Case No. 84-225-A
Petitioner - Dollie Jo Gleaton
Variance Petition

Dear Mr. McCarty:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Boender Associates
3565-A Court Square
Ellicott City, Md. 21043

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

February 23, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #165 (1983-1984)
Property Owner: Dollie Jo Gleaton
S/S Edmondson Ave. 60' E. Ridge Rd.
Acres: 61/61 X 162.31/172.77
District: 1st

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements exist and are not directly involved.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #165 (1983-1984).

Very truly yours,

Robert A. Marston, P.E., Chief
Bureau of Public Services

RAM:EM:FW:rs

G-W Key Sheet
7 SW 20 Pos. Sheet
SW 2 E Topo
101 Tax Map

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

February 6, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 158, 159, 162, 164, 165 - ZAC Meeting of January 3, 1984
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 158, 159, 162, 164, and 165.

MSF/ccm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: **Arnold Jablon, Zoning Commissioner**
Office of Planning and Zoning
FROM: **Ian J. Forrest**
SUBJECT: **Zoning Variance Items**
Meeting - January 3, 1984
Date: **February 13, 1984**

The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

- Item # 158 - Caroline Leona Ward
- Item # 161 - Helen L. Goppert
- Item # 162 - Middle River Volunteer Fire Company, Inc.
- Item # 164 - Howard M. Harris, et ux
- Item # 165 - Dollie Jo Gleaton

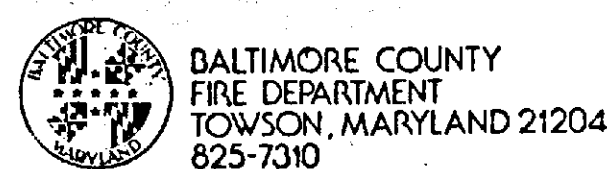
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/rth

MAR 15 1985

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



AUL H. REINCKE
CHIEF

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Dollie Jo Gleaton

Location: S/S Edmondson Avenue 60' E. Ridge Road

Item No.: 165 Zoning Agenda: Meeting of January 3, 1984

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

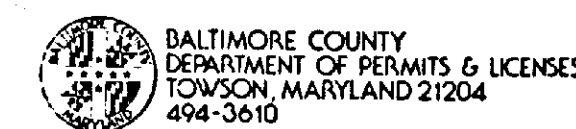
/mb

ORDER RECEIVED FOR FILING

DATE: Jan 15, 1984
BY: [Signature]
[Signature]

1. The site plan shall indicate that the dwelling is one-story with basement and shall include no more than 2 apartments.
2. The basement shall not be used as an apartment and the kitchen facilities shall be removed therefrom.
3. Wheel stops shall be placed so that vehicles can extend no further south than 5 feet north of the front wall of the dwelling located at 5903 Edmondson Avenue.
4. A revised site plan shall be submitted to and approved by the Office of Planning and Zoning.

[Signature]
Deputy Zoning Commissioner
of Baltimore County



TED ZAJACKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

January 20, 1984

Dear Mr. Jablon:

Comments on Item # 165 Zoning Advisory Committee Meeting are as follows:

Property Owner: Dollie Jo Gleaton
Location: S/S Edmondson Avenue 60' E. Ridge Road
Existing Zoning: D.R. 5-5
Proposed Zoning: Variance to permit lot width 61' in lieu of the required 80', to permit minimum side yard setback of 3.3' in lieu of the required 15.4' and to permit a sum of side yard setbacks of 15.4' in lieu of the required 35'.

Acres: 61/61 x 162.31/172.77
District: 1st

The items checked below are applicable:

- () All structures shall conform to the Baltimore County Building Code 1981/Council Bill 11-82.
- (X) A building/ A other / permit shall be required before beginning construction.
- () Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- () Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- (X) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no opening permitted within 3'0" of lot line. A fire wall is required if construction is on the lot line, see Table 101, line 2, Section 1107 and Table 102, line 2, Section 1107. Applicant may choose the One & Two Family Code with a 3'0" setback requirement under Section R-201.
- () Requested variance appears to conflict with the Baltimore County Building Code, Section 1107.
- () A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- () Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.

I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
[Signature]
Charles E. Burdick, Chief
Plans Review

CEB:es

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
S/S Edmondson Ave., 60' :
E of Ridge Rd. (5907 : OF BALTIMORE COUNTY
Edmondson Ave.), :
1st District :
DOLLIE JO GLEATON, : Case No. 84-225-A
Petitioner : : : : : :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 21st day of February, 1984, a copy of the foregoing Entry of Appearance was mailed to Thomas B. McCarty, Esquire, 1606 Frederick Rd., Catonsville, MD 21228, Attorney for Petitioner.

[Signature]
Phyllis Cole Friedman
Phyllis Cole Friedman

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent

Towson, Maryland - 21204

Date: January 3, 1984

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of:

January 5, 1984

RE: Item No: 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, & 168.
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Jablon:

The above items have no bearing on student population.

Very truly yours,
[Signature]
Mr. Nick Petrovich, Assistant
Department of Planning

WNP/1h



County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

September 6, 1984

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 84-225-A DOLLIE JO GLEATON
S/S Edmondson Ave., 60' E of Ridge Rd.
(5907 Edmondson Ave.)
1st District
Variance-to permit lot width of 61' in lieu of req. 80', side yd. of 3.3' in lieu of req. 15.4', and sum of side yd. setbacks of 15.4' in lieu of req. 35'.
6/15/84 - D. Z. C.'s Order - GRANTED
THURSDAY, NOVEMBER 29, 1984, at 10 a.m.
ASSIGNED FOR:
cc: Thomas B. McCarty, Esq. Counsel for Petitioner
Dollie Jo Gleaton Petitioner
Anthony Sacco, Esq. Counsel for Protestants
Norman Gerber
James Howell
Jean Jung
James Dyer
Phyllis Friedman People's Counsel

June Holman, Secy.

MAR 15 1985

IN THE MATTER OF
THE APPLICATION OF
DOLLIE JO GLEATON
FOR VARIANCE FROM
SEC. 402 TO PERMIT LOT
WIDTH OF 61' IN LIEU OF
REQUIRED 80', SIDE YARD
OF 3.5' IN LIEU OF REQUIRED
15', AND SUM OF SIDE YARD
SETBACKS OF 15.4' IN LIEU
OF REQUIRED 35' ON PROPERTY
LOCATED ON THE SOUTH SIDE
EDMONDSON AVE., 60' EAST OF
RIDGE RD. (5907 EDMONDSON
AVE.) - 1st DISTRICT

OPINION

The above captioned matter came on for hearing on an appeal from a decision of the Deputy Zoning Commissioner dated June 15, 1984, wherein the petition for variances was granted.

On appeal the matter was held de novo.

The Petitioner testified as to the purchase of the subject site, the side, front and rear yard setbacks and her use of the property for apartments. She further testified that if the requested variances are not permitted, she would be required to remove entirely, the living room and dining room sections of the house.

The Protestant testified that he had no objection to the setback variances granted by the Deputy Zoning Commissioner, but instead, objected to the use of the subject property for apartments.

It is clear to this Board that this appeal is unwarranted and without substance. Indeed, this matter appears to be not so much a property dispute as a personality clash. If, indeed, the Protestant believes Petitioner's use of the property constitutes a nuisance, then, in that event, an action should be instituted in the proper forum. It is not a zoning issue.

The evidence suggests that the subject property has enjoyed its present property dimensions for approximately fifty (50) years. It is possible, had the Petitioner pursued the matter, a nonconforming use may have been established. However, this Board does not believe same was conclusively established and, therefore, shall not impose same. It is obvious, however, that the denial of the requested variances would impose a substantial hardship. For the reasons stated, this Board shall affirm the decision of the Deputy Zoning Commissioner, including the four (4) restrictions imposed.

Dollie Jo Gleaton
Case No. 84-225-A

ORDER

For the reasons set forth in the foregoing Opinion, it is this 11th day of December, 1984, by the County Board of Appeals, ORDERED that the decision of the Deputy Zoning Commissioner, dated June 15, 1984, granting the variances petitioned for, including the four (4) restrictions imposed, BE AFFIRMED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William R. Evans, Acting Chairman

Leroy B. Spurr

Patricia Phipps

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: 7-23-84
Posted for: [Signature]
Petitioner: Dollie Jo Gleaton
Location of property: S/S of Edmondson Avenue, 60' E. of Ridge Road (5907 Edmondson Avenue)
Location of Sign: 1st front of 5907 Edmondson Ave.
Remarks:
Posted by: [Signature] Date of return: 7-23-84
Number of Signs: 1

84-225-A 1st DISTRICT
S/S EDMONDSON AVENUE 60'
E. OF RIDGE ROAD
(5907 EDMONDSON AVENUE)
DOLLIE JO GLEATON, PETITIONER
1 - SIGN



County Board of Appeals of Baltimore County

Room 200 Court House

Towson, Maryland 21204

(301) 494-3180

December 11, 1984

Anthony J. Sacco, Esq.
202 Courtland Ave.
Towson, Md. 21204

Re: Case No. 84-225-A
Dollie Jo Gleaton

Dear Mr. Sacco:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

[Signature]
June Holmen, Secretary

Encl.
cc: Thomas B. McCarty, Esq.
Dollie Jo Gleaton
Phyllis C. Friedman
Norman E. Gerber
James Hoswell
Jean Jung
James E. Dyer

9/6/84 - Notified the following of hearing set for Thursday, Nov. 29, 1984, at 10 a.m.:

Thomas B. McCarty, Esq.
Dollie Jo Gleaton
Anthony Sacco, Esq.
N. Gerber, J. Hoswell
J. Jung
J. Dyer
Phyllis Friedman

MCCARTY & MCCARTY
ATTORNEYS AND COUNSELORS AT LAW
1806 FREDERICK ROAD
CATONSVILLE, MARYLAND 21228

February 10, 1984

Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Variances
S/S of Edmondson Avenue, 60' E. of Ridge
Road (5907 Edmondson Avenue)
Dollie Jo Gleaton, Petitioner
Case No. 84-225-A

Dear Sir:

Please postpone the hearing set for 10:15 a.m., on Tuesday, March 6, 1984 in the above referenced matter due to the fact that I have a previously scheduled hearing at that time and date in the Anne Arundel Circuit Court.

Please reschedule a new hearing at a later date.

Thank you for your cooperation in this matter.

Sincerely yours,

[Signature]
Thomas B. McCarty
TBM: ens

February 29, 1984

Zoning Commissioner of
Baltimore County
111 W. Chesapeake Avenue
Room 113
Towson, Maryland 21204

ATTN: Arlene January

RE: Dollie Jo Gleaton
84-225-A

Dear Ms. January:

In response to our telephone conversation recently, I am enclosing a copy of the Notice of Hearing, which has been previously docketed for the Orphans Court for Anne Arundel County for Tuesday, March 6, 1984.

Thank you for your cooperation in associating this with Ms. Gleaton's files.

Sincerely yours,

[Signature]
Thomas B. McCarty
TBM: ens

IN THE MATTER OF
THE ESTATE OF
Mary M. Riley

DECEASED #4415

JUDICIAL

NOTICE OF HEARING

RE-SCHEDULED

TO: Michael R. Roblyer, Esquire
Thomas B. McCarty, Esquire
Bernard J. Burns
Harry J. Burns
Bryan Bruns
Ruth N. Wolf
Betty Jane Howard
Ann Belfer
Anna Hoffman
Bayard T. Young
Penelope Evans
John K. Bailey
Ester M. Nichols
William N. Scherer, Jr., Esq.

A Hearing will be held on Tuesday the 6th day of March, 1984 at 10:30 a.m., in Room # 9, Court House Annex, 50 Cathedral Street, Annapolis, Maryland 21401, on the estate of Mary M. Riley, Deceased.

REGARDING:

A Petition filed by Ms. Esther Nichols, R.F.D.# 1, Box 593, Littleton, Pa., 17340 for Judicial Probate, "CAVEAT".

REMARKS:

The hearing originally scheduled for October 25, 1983 was cancelled to be scheduled at a later date.

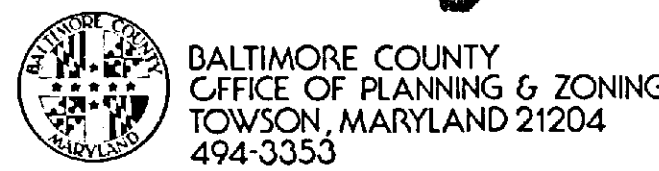
Any postponement or settlement must be presented to the Court in writing by both parties, under oath, ten (10) days prior to hearing stating that they will notify all interested persons.

* As one of the subscribing witnesses to the Last Will & Testament of the above-named decedent, you are required to appear before appear at this hearing.

TRUE COPY TEST
[Signature]
REGISTER OF WILLS
FOR ANNE ARUNDEL CO.

Administration Fee
NEH3 Fee 633

MAR 15 1985



ARNOLD JABLON
ZONING COMMISSIONER

June 15, 1984

Thomas B. McCarty, Esquire
1606 Frederick Road
Catonsville, Maryland 21228

RE: Petition for Variances
S/S of Edmondson Ave., 60' E
of Ridge Rd. (5907 Edmondson
Ave.) - 1st Election District
No. 84-225-A (Item No. 165)

Dear Mr. McCarty:

I have this date passed my Order in the above captioned matter in
accordance with the attached.

Very truly yours,

Jean M.H. Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. and Mrs. Rudolph DePaola
5903 Edmondson Avenue
Baltimore, Maryland 21228

People's Counsel

Re: PETITION FOR VARIANCES *
S/S of Edmondson Avenue *
(5907 Edmondson Avenue) - *
First Election District *
DOLLY JOE GLEATON *
Petitioners *
BALTIMORE COUNTY *
Case # 84-225-A *
(Item # 165) *

ORDER FOR APPEAL

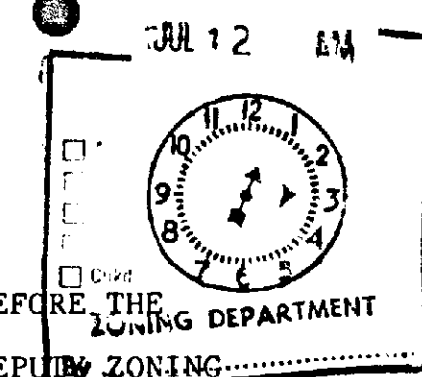
MR. CLERK:

Please note that the Protestants RUDOLPH DePOALA and
wife who reside at 5903 Edmondson Avenue, Baltimore,
Maryland, hereby appeal the decision of the Deputy Zoning
Commissioner dated June 15, 1984 in the above-captioned
case.

Respectively submitted,

Anthony J. Sacco
Anthony J. Sacco
202 Courtland Avenue
Towson, Maryland 21204
828-7838

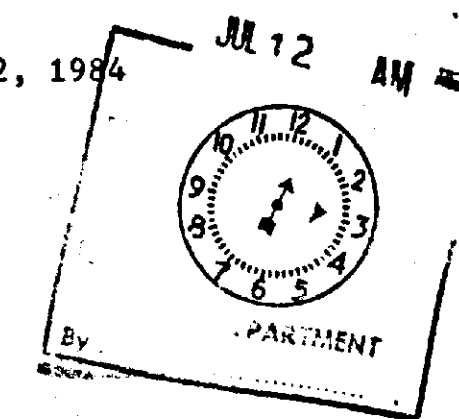
Attorney for Protestants



828-7838
AREA CODE 201

Anthony J. Sacco
ATTORNEY AT LAW
202 COURTLAND AVENUE
TOWSON, MD. 21204

July 12, 1984



Jean M. H. Jung,
Deputy Zoning Commissioner
Baltimore County Office of
Planning and Zoning
Towson, Maryland 21204

Re: PETITION FOR VARIANCES
S/S Edmondson Avenue
(5907 Edmondson Avenue) - First Election District
DOLLY JOE GLEATON - Petitioners
Case # 84-225-A (Item # 165)

Dear Commissioner Jung:

Enclosed herewith find original and three (3) copies
of an Order of Appeal.

Please file this Order in the above-captioned proceed-
ings.

I enclose my clients trust account check number 4524,
in the amount of \$80.00 dollars, to cover the cost of the
appeal and advertising. Once the Order has been filed,
please return the extra copies, duly time stamped, directly
to this office in the enclosed self addressed stamped enve-
lope.

Thank you for your cooperation in this matter.

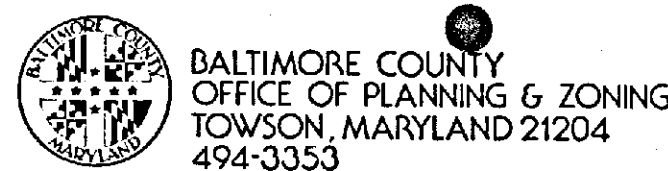
Very truly yours,

Anthony J. Sacco
Anthony J. Sacco

AJS/kyf

encl: Order of Appeal, 1 original and 3 cys.
clients tr. ck. # 4524.

cc: Mr. and Mrs. Rudolph DePaola



ARNOLD JABLON
ZONING COMMISSIONER

July 13, 1984

Thomas B. McCarty, Esquire
1606 Frederick Road
Catonsville, Maryland 21228

Re: Petition for Variances
S/S of Edmondson Ave., 60' E of
Ridge Rd. (5907 Edmondson Avenue)
Dollie Jo Gleaton - Petitioner
Case No. 84-225-A

Dear Mr. McCarty:

Please be advised that an appeal has been filed by Anthony J.
Sacco, attorney for protestants, from the decision rendered by the
Deputy Zoning Commissioner of Baltimore County, in the above
referenced matter.

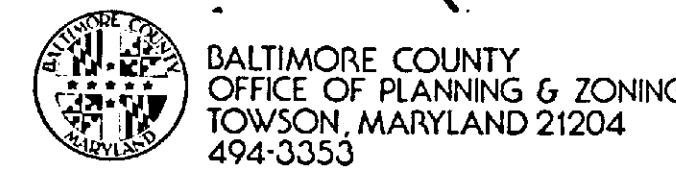
You will be notified of the date and time of the appeal hearing
when it is scheduled by the County Board of Appeals.

Very truly yours,

Arnold Jablon
Arnold Jablon
Zoning Commissioner

AJ:aj

cc: Phyllis C. Friedman, Esquire
People's Counsel for Baltimore County



ARNOLD JABLON
ZONING COMMISSIONER

September 9, 1983

Ms. Dollie J. Gleaton
5907 Edmondson Avenue
Baltimore, Maryland 21228

RE: 5907 Edmondson Avenue
Case No. C-84-199

Dear Ms. Gleaton:

This is a follow-up to our conference on Friday,
September 2, 1983, relative to the use of your property
as a three apartment dwelling.

By current zoning requirements, the property size
for such use would have to equal or exceed a width of
95 feet at the front building line and a square footage
area of 13,000 feet.

Your lot is approximately 60 feet by 172 feet,
approximately 10,300 square feet.

Unless the conversion took place prior to 1945,
there is no way to seek approval for three apartments.

What you may do is to file a Petition for Variance
to the lot width requirement, seeking approval for use
of the property for two apartments. This process
requires posting of the property, advertising and a public
hearing before the Zoning Commissioner.

Should you not file for such a hearing, or should
your request be denied, the property would have to revert
to a single family dwelling.

Forms and instructions for filing of petitions are
available in Room 113, Baltimore County Office Building,
111 W. Chesapeake Avenue, Towson, Maryland 21204.

Ms. Dollie J. Gleaton
Page Two
September 9, 1983

telephone number 494-3391.

Upon receipt of this letter, please advise as to how
you intend to proceed. Feel free to call my office if
I can provide any additional information.

Very truly yours,

Henry E. Philps
HENRY E. PHILPS
Zoning Inspector

for: Arnold Jablon
Zoning Commissioner

HEP:eoh

cc: Mr. Charles W. Simms
10076 Century Drive
Ellicott City, Maryland 21043

File ✓

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 131916

DATE 7/12/84 ACCOUNT 8-01-615-000

AMOUNT \$80.00

RECEIVED FROM Anthony J. Sacco, Esquire
FOR Appeal fee for Case #84-225-A
(Dollie Jo Gleaton)

6 121*****800010 81243

VALIDATION OR SIGNATURE OF CASHIER

IN RE: PETITION FOR
VARIANCES
S/S of Edmondson Ave., 60' E of
Ridge Rd. (5907 Edmondson Avenue)

Dollie Jo Gleaton,
Petitioner

* BEFORE THE
* BOARD OF APPEALS
* OF BALTIMORE COUNTY
* Case No. 84-225-A

Entry of Appearance

Please enter my appearance as a party in the above captioned matter,
pursuant to Section 501.6, B.C.Z.R., and I hereby request that any and all
notices be forwarded to my office, including but not limited to hearing dates
and/or preliminary or final Orders.

Arnold Jablon
Arnold Jablon
Zoning Commissioner of Baltimore
County
Room 109 - 111 West Chesapeake Avenue
Towson, Maryland 21204
494-3353

Certificate of Mailing

IT IS HEREBY CERTIFIED that on this 13th day of July
1984, copies of the foregoing Entry of Appearance were mailed, postage prepaid,
by first class delivery to the County Attorney of Baltimore County, People's
Counsel for Baltimore County, Petitioner(s) and/or Protestant(s) in the above
captioned matter.

Arnold Jablon
Arnold Jablon

February 7, 1984

Thomas B. McCarty, Esquire
1606 Frederick Road
Catonsville, Maryland 21228

NOTICE OF HEARING

Re: Petition for Variances
S/S of Edmondson Ave., 60' E of Ridge
Road (5907 Edmondson Avenue)
Dollie Jo Gleaton - Petitioner
Case No. 84-225-A

TIME: 10:15 A.M.

DATE: Tuesday, March 6, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 124020

DATE 2/8/84 ACCOUNT 8-01-615-000

AMOUNT \$35.00

RECEIVED FROM Mr. E. Gleaton
FOR fee for Case #84-225-A
(Dollie Jo Gleaton)

6 026*****350010 82224

VALIDATION OR SIGNATURE OF CASHIER

MAR 15 1985

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting 2-16-84

Posted for: Variances

Petitioner: Dollie Jo Gleaton

Location of property: S/S of Edmondson Ave. 60' E of Ridge Road

Location of Sign: South side of Edmondson Ave. in front of 5207 Edmondson Ave.

Remarks: See Petition

Posted by: A. J. Jablon Date of return: 2-24-84

Number of Signs: 1

PETITION FOR VARIANCE
1st Election District
LOCATION: South side of Edmondson Ave. 60' E of Ridge Road (5907 Edmondson Ave.)
DATE & TIME: Thursday, May 31, 1984 at 1:30 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance to permit a lot width of 61 ft. in lieu of the required 80 ft. and a minimum side yard setback of 3.5 ft. in lieu of the required 15 ft. and a sum of side yard setbacks of 15.4 ft. in lieu of the required 35 ft. in the property of Dollie Jo Gleaton, as shown on plat plan filed with the Zoning Department. In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner, however, entertains no request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County

Office of PATUXENT Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

February 16 19 84

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCE

was inserted in the following:

☒ Catonsville Times
☒ Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 18 day of FEBRUARY 1984, that is to say, the same was inserted in the issues of

February 16, 1984

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

February 28, 1984

Thomas B. McCarty, Esq.
1606 Frederick Road
Catonsville, Maryland 21228

Re: Petition for Variances
S/S Edmondson Ave., 60' E of Ridge Road (5907 Edmondson Avenue)
Dollie Jo Gleaton - Petitioner
Case No. 84-225-A

Dear Mr. McCarty:

This is to advise you that \$32.80 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,
ARNOLD JABLON
Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 3/26/84 ACCOUNT R-01-615-000

AMOUNT \$32.80

RECEIVED FROM Dollie Jo Gleaton

FOR Advertising & Posting Case #84-225-A

IN the above case must
ponement of same.

105*****39801b 5275A

VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting 5-11-84

Posted for: Variances

Petitioner: Dollie Jo Gleaton

Location of property: S/S of Edmondson Ave. 60' E of Ridge Road

Location of Sign: South side of Edmondson Ave. in front of 5207 Edmondson Ave.

Remarks: See Petition

Posted by: A. J. Jablon Date of return: 5-18-84

Number of Signs: 1

CERTIFICATE OF PUBLICATION
TOWSON, MD., February 16, 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time successive weeks before the 18th day of March, 1984, the first publication appearing on the 16th day of February, 1984.

THE JEFFERSONIAN,
L. Frank Struthers
Manager

Cost of Advertisement, \$ 17.00

PATUXENT PUBLISHING CORP.
By A. J. Jablon

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY IN EQUITY

Plaintiff
vs.
Defendant

CERTIFICATE OF PUBLICATION OF

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 3/26/84 ACCOUNT R-01-615-000

AMOUNT \$32.80

RECEIVED FROM Dollie Jo Gleaton

FOR Advertising & Posting Case #84-225-A

105*****39801b 5275A

VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF PUBLICATION
TOWSON, MD., May 10, 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time successive weeks before the 31st day of May, 1984, the first publication appearing on the 10th day of May, 1984.

THE JEFFERSONIAN,
L. Frank Struthers
Manager

Cost of Advertisement, \$ 26.00

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

May 22, 1984

Ms. Dollie Jo Gleaton
5907 Edmondson Avenue
Catonsville, Maryland 21228

Re: Petition for Variances
S/S Edmondson Ave., 60' E of Ridge Rd.
(5907 Edmondson Avenue)
Dollie Jo Gleaton - Petitioner
Case No. 84-225-A

Dear Ms. Gleaton:

This is to advise you that \$42.70 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 5/29/84 ACCOUNT R-01-615-000

AMOUNT \$42.70

RECEIVED FROM Dollie Jo Gleaton

FOR Advertising and posting in Case #84-225-A

105*****42701b 5293A

VALIDATION OR SIGNATURE OF CARRIER

Located on the south side of Edmondson Avenue approximately 60 feet east of Ridge Road and known as Lot 2 and part of Lot 1 (east side) which is recorded among the Land Records of Baltimore County in Liber 7, Folio 8. Also known as 5907 Edmondson Avenue.

RESCHEDULED PETITION FOR VARIANCES
1st Election District

ZONING: Petition for Variances

LOCATION: South side of Edmondson Avenue, 60 ft. East of Ridge Road (5907 Edmondson Avenue)

DATE & TIME: Thursday, May 31, 1984 at 1:30 P.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit a lot width of 61 ft. in lieu of the required 80 ft., a minimum side yard setback of 3.5 ft. in lieu of the required 15 ft. and a sum of side yard setbacks of 15.4 ft. in lieu of the required 35 ft.

Being the property of Dollie Jo Gleaton, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order of
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

PETITION FOR ZONING VARIANCE

RE: 5907 EDMONDSON AVENUE
CATONSVILLE, MARYLAND 21228
Property Account Nos. 01-01-541220 & 01-01-541221
Current Zoning: DR 5.5
Dollie Jo Gleaton, Owner

REQUEST: (1) Variance for Width of Lot in Feet at Front Building Line for a Duplex from the required 80' to a requested 61'
(2) Variance for Side yard set back in Feet from a Minimum of one side yard set back from 15' to a requested 3.3'
(3) Variance for Side yard set backs in Feet from a sum of 35' to a requested sum of 15.4'

CODE SECTION: BALTIMORE COUNTY ZONING REGULATIONS, 1955, as amended, Section 402, regarding an INTERIOR LOT

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 402 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons:

1. Strict compliance with the above stated Regulations results in practical difficulty and/or unreasonable hardship. The subject property was purchased and transferred to Petitioner on or about November 21, 1981, in its present design and construction. The purpose of Petitioner's purchase of the same was to acquire personal living quarters supplemented with two additional units which could be used for renting. Petitioner purchased subject property from the Seller, BARBARA J. ANDERSON, with the understanding that stated use was permissible. The purchase price for subject property reflected the proposed use. Presently, subject property contains THREE dwelling units, each containing separate cooking facilities and a separate bathroom. Pursuant to current zoning regulations, since subject property possesses a lot Area in Square Feet of over 10,000 square feet, the residential density for said site permits a TWO family unit. However, since the property enjoys only a 61' wide lot at its Front Building Line and side yard set backs of 3.3' on its west side and 12.1' on its east side, the requested variances are necessitated to permit the premises to be used as a TWO FAMILY dwelling unit. Otherwise, the petitioner will suffer a financial loss for property already purchased and additional loss of use of her property which is currently constructed in a fashion to

permitted use, and, conformity with such restrictions are unnecessarily burdensome. The grant of requested variance does substantial justice to the applicant as well as to other property owners in the district. The relief requested can be granted in such fashion that the spirit and public safety and welfare can be secured.

2. Granting the requested variances does not violate strict harmony with the spirit and intent of said area restrictions and does not substantially injure the public health, safety and general welfare of the premise's community and/or neighborhood for the following reasons:

(a) The zoning to the property's north boundary is zoned DR 10.5, which presently allows a higher residential density beyond that which Petitioner herein requests;

(b) The property's improvement, being a multi-story house, portrays the image of being a large house, without the appearance of being an "apartment building", and as such has uniform siding, separate entrances to each unit without giving the appearance that multi-family residence is contained therein, and, in general, presents a very subtle profile for a two family unit;

(c) The property is serviced by an "off-street service road", which allows off-street parking and access to subject site without interference to the general neighborhood for the intended use of the property;

(d) Ingress and Egress from subject property is not on Edmondson Avenue, but onto stated "off-street service road" which joins Ridge Road;

(e) On the West side of subject property, which has a 3.3' set back, the adjoining property owner has not improved their property, hence an open space exists between the Petitioner's improvements and Ridge Road for a distance of approximately 78.7';

(f) The current displacement of the property's improvements to its unused land is heavily in favor of open space with a back yard of approximately 61.0' in width and 62.0' in length, being 5602 square feet in area. The property also enjoys a front yard with a size of approximately 61.0' in width and over 30.0' in length, being 1830 square feet in area. Thus, since the over property area is more than 14,144 square feet (61.00 x 231.88 x 172.77 x 61.00), its open space exceeds 6032 square feet, or at least 67% of its overall area;

(g) The property is currently serviced by public water and public sewer, with no accompanying overflows, inadequacies, or difficulties. There have been no complaints of surface water problems;

(h) The property's current improvement does not offend the

accommodate a TWO FAMILY unit.

The unique physical condition of the property, particularly its narrowness of lot size being 61.0', results in practical difficulties or unnecessary hardship when complying strictly with the area requirements of the Zoning Regulations; and that the alleged practical difficulties or unnecessary hardship are not due to circumstances created generally by the strict application of such provisions in the neighborhood in which the lot is located. Instead, because of the physical condition of the lot size, there is no reasonable possibility that the development of the zoning lot in strict conformity with the provisions of the Zoning Regulations will bring a reasonable return, and that a grant of a variance is therefore necessary to enable the owner to realize a reasonable return from such zoning lot.

The variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to public welfare.

The practical difficulties or unnecessary hardship claimed as a ground for a variance have not been created by the owner.

The surrounding area of subject site includes an entire development of row houses, known as "ACADEMY HEIGHTS" to the immediate front of subject property, which is zoned DR 10.5; an area designated as DR for commercial development to the east of subject property (approximately 1-2 blocks away); garden-type apartments to the east of subject property (approximately 3 blocks away); and commercial use of property to the west of subject property along Edmondson Avenue to include offices, service stations, retail outlets, and a bottling factory (approximately 3-to-4 blocks west of subject property). Thus, existing surrounding uses are inconsistent with those permitted on subject property under subject property less valuable for its current permitted use; and, the variant use proposed by the Owner is unlikely to change the essential character of the neighborhood because a use similar to the one proposed already exists.

As a result of the large size, older age and construction of three separate and distinct living units within the premises, the owner finds herself unable to use and/or sell the subject premises within the presently zoned DR 10.5 district. The property cannot be converted to a profitable conforming use. It is noted that the present structure exists, and no further development of the property is proposed, or necessary. It is only the internal use of the property that is being requested for a change. The current structure has been approved by building permit and is currently in legal status. Further, the intended use of the premises is a "permitted use", subject only to a variance for set backs and frontage. Compliance with the strict letter of the restrictions governing set backs and frontage unreasonably prevent the owner from using the property for a

aesthetic ambience of the residentially zoned property in the immediate neighborhood;

(i) The property is current fenced on its side lines and in its back end. The front yard enjoys a porch, concrete walkway and a macadam driveway;

(j) The proposed use of the house does not endanger traffic flow, parking and pedestrian flow in the area;

(k) Other property in the immediate area is also being used by multi-family use.

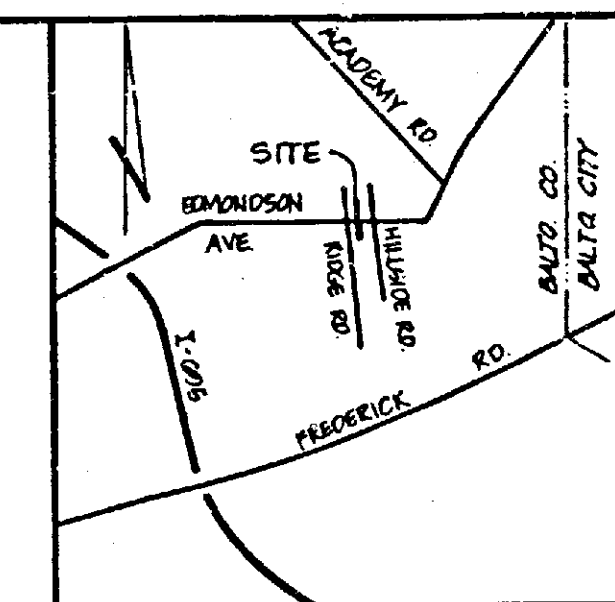
Respectfully Submitted,

Dollie J. Gleton
DOLLIE JO GLETON, Owner



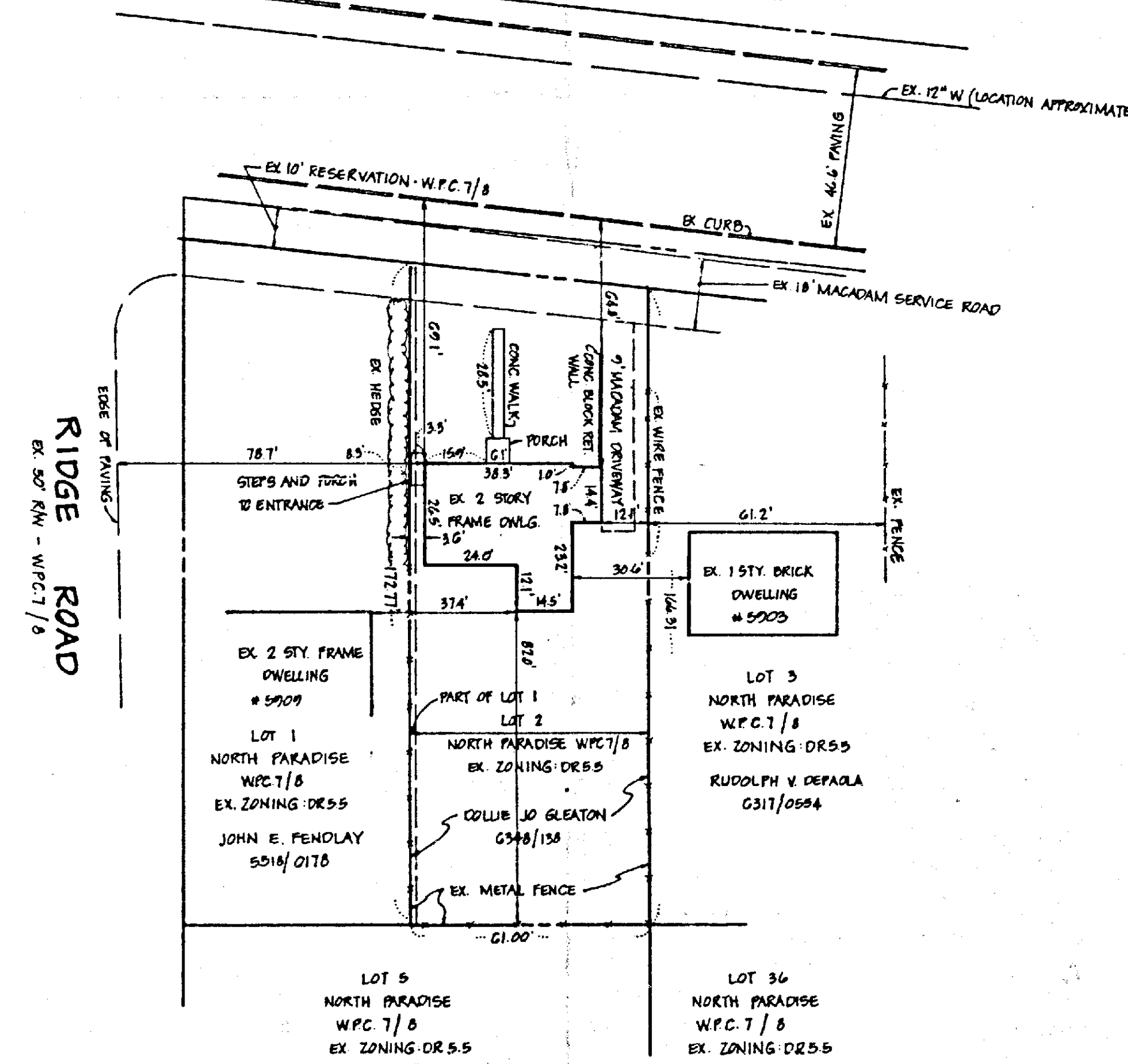
BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204

Protesters exhibit 1 to 3



VICINITY MAP
SCALE 1" = 400'

EDMONDSON AVENUE
EX. 60' R/W



GENERAL NOTES

1. TAX MAP: 101 BLACK 3 PART OF PARCEL 1000
2. EX. ZONING: DR 55
3. PLAT REFERENCE: NORTH PARADISE, RECORDED IN W.P.C. 7, FOLIO 10
4. DEED REFERENCE: 6340/130
5. PROPERTY IS SERVICED BY PUBLIC WATER AND PUBLIC SEWER.
6. BOUNDARY SHOWN HEREON IS BASED ON A DEED PLOTTING AND DOES NOT REPRESENT A BOUNDARY SURVEY.

MAP 101
SUB E
SECTION
E.T. 11/29
FILE
RECORD 11/29
BY

OWNER
DOLLIE JO GLETON
5907 EDMONDSON AVE
CATONSVILLE, MD 21220

Don H165

TITLE ZONING PLAT									
PROJECT 5907 EDMONDSON AVE - GLETON PROPERTY									
LOCATION 1ST ELECTION DISTRICT					BALTIMORE COUNTY, MD.				
DATE DEC. 1983	SCALE 1" = 30'	DESIGN BY J.J.B.	DRAWN BY J.J.B.	CHECKED BY	DRAWING NO. 1041	JOB NO. 83244			
boender associates							engineers surveyors planners		
3685 - A COURT SQUARE ELICOTT CITY, MARYLAND 21043 301-465-7777									
DEC 16 1983									